

EXHIBIT 1

DECLARATION OF ALISON JOHNSTON GRINTER, ESQ.

I, Alison Johnston Grinter, Esq., pursuant to 28 U.S.C. § 1746 hereby declare, under penalty of perjury:

1. I am an attorney in private practice at the Law Office of Alison Grinter located at 6738 Old Settlers Way Dallas, Texas 75236, where I primarily work on criminal cases but also keep a docket of pro-bono civil rights cases through Legal Access Texas, as well as several other community civil rights groups.
2. I am an attorney-at-law admitted in and in good standing to practice before the courts of the State of Texas and the U.S. District Courts for the Northern District of Texas. I was licensed to practice on November 4, 2005, and my bar number with the State of Texas is 24043476.
3. I submit this declaration in connection with my position as local counsel to Defendant Reality Leigh Winner (“Ms. Winner”) in relation to the case styled *United States v. Reality Leigh Winner*, No. 17-CR-34 (S.D. Ga. 2017).
4. The facts set forth below are based upon my personal experience and knowledge. I will supplement this declaration if additional information becomes available during the pendency of this case.
5. In April 2020, Ms. Winner sought compassionate release from custody under 18 U.S.C. § 3582 in light of, among other things, the COVID-19

global pandemic, her immuno-compromised health, and other factors, including the response to the pandemic by the Bureau of Prisons (“BOP”) at FMC Carswell, the BOP facility where Ms. Winner is currently housed.

6. In late April 2020, the district court denied Ms. Winner’s request for compassionate release.
7. Ms. Winner has since appealed the district court’s ruling to the U.S. Court of Appeals for the Eleventh Circuit, where her compassionate release request remains pending.
8. In the last few weeks, a number of inmates at FMC Carswell have tested positive for COVID-19. It is my understanding that, as of today’s date, the BOP has publicly reported that approximately 510 inmates have tested positive for COVID-19 – up from a public reporting of 0 inmates in late June 2020.
9. Over the course of the last few days, Ms. Winner has advised me that she was tested for COVID-19 and found to be positive for the virus.
10. I have been advised by Ms. Winner that her compassionate release request, including briefing to both the district court and the Eleventh Circuit Court of Appeals, is well known by prison officials at FMC Carswell and has led to retaliatory acts against Ms. Winner. Ms. Winner informed me via email (attached as Exhibit A) that an officer prevented her from completing her

paid prison detail on certain occasions. Additionally, after Ms. Winner's positive COVID-19 test, this same prison official sarcastically announced among a community of fellow inmates her "congratulations" to Ms. Winner at testing positive for the virus.

11. Based on my communications with Ms. Winner (as well as another inmate at the facility and one woman who was recently released from the facility), the situation in FMC Carswell is dire. Ms. Winner is now being detained as a COVID-19 positive case in a COVID-19 unit with 240 positive COVID-19 inmates. I have been told that inmates at FMC Carswell did not receive hot meals for 3 weeks. According to Ms. Winner, hot meals resumed on July 20, 2020 after news of the circumstances at FMC Carswell spread over social media. As of July 21, I have been advised that inmates have gone without a commissary.
12. It is also my understanding from Ms. Winner that inmates were not allowed access to the prison store to purchase stamps, and basic hygiene supplies and other over-the-counter medicines in an attempt to help combat the virus on their own. Ms. Winner informed me that she believes certain items will be permitted to be purchased beginning on July 27, 2020.
13. I have also been advised that the mattresses of COVID-19 infected, removed prisoners remain stacked in the center of Ms. Winner's housing

unit, and that those mattresses are reused without an opportunity to sanitize them by incoming inmates placed in the unit upon testing positive for COVID-19.

14. Due to the COVID-19 pandemic situation, visitation at FMC Carswell has been suspended until further notice. I have had difficulty communicating with Ms. Winner, and she is only sparingly allowed access to email or telephone.
15. For the reasons previously briefed by Ms. Winner in connection with her compassionate release request, the situation at FMC Carswell is dangerous. COVID-19 cases at this facility are increasing daily, and the facility has already reported several inmate deaths. As previously briefed, Ms. Winner, in particular, is highly susceptible to severe health consequences now that she has tested positive for COVID-19, especially in view of the current unsanitary conditions at FMC Carswell.
16. I have attached as **Exhibit A** an email from Ms. Winner that are intended as her statements reflecting some of the above facts, with an electronic signature declaring that the statements made therein are, under penalty of perjury, true and correct to the best of her knowledge, information, and belief as of July 21, 2020. I am presently unaware of any expeditious way

to obtain a “wet ink” signed copy of a declaration from Ms. Winner due to various limitations on inmate mailing and visitation at FMC Carswell.

17. I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information and belief.

Dated: July 22, 2020



Alison Johnston Grinter, Esq.

EXHIBIT A

Alison Grinter

From: WINNER REALITY LEIGH (22056021)
Sent Date: Wednesday, July 22, 2020 6:34 AM
To: Alisongrinter@gmail.com
Subject: RE: Declaration of Reality Leigh Winner

Alison Grinter

Corrections: mattresses were removed 16 July from Unit 2 North. Mattresses stayed in my housing Unit 2 South and are reused without opportunity to sanitize by incoming positive inmates placed in the unit upon testing positive. We are all on different phases of the virus and may never test negative fully at this rate. Hot meals began on 20 July. Hygiene, stamps, over the counter medicine will begin 27 July, but food, teas, honey, lemon are unlikely to be added to list of allowed items. As of 21 July, we have gone since 30 June without commissary.

I declare under penalty of perjury that the following statements with addition of the aforementioned updates are true and correct to the best of my knowledge, information, and belief as of 21 July 2020.

Reality Leigh Winner, 22056-021

—Grinter, Alison on 7/21/2020 4:03 PM wrote:

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DECLARATION OF REALITY LEIGH WINNER

I, Reality Leigh Winner, pursuant to 28 U.S.C. ?? 1746 hereby declare, under penalty of perjury:

1. I am currently an inmate housed at FMC Carswell, a Bureau of Prisons ("BOP") facility located in Fort Worth, Texas. My BOP Register Number is 22056-021.
 2. I am the defendant in the matter styled United States v. Reality Leigh Winner, No. 1:17-CR-00034, a criminal proceeding that is pending in the Southern District of Georgia.
 3. In April 2020, I sought compassionate release from custody under 18 U.S.C. ?? 3582 in light of, among other things, the COVID-19 global pandemic, my immuno-compromised health, and other factors, including the BOP's response to the pandemic at my particular facility.
 4. In late April 2020, the district court denied my request for compassionate release.
 5. I have since appealed the district court's ruling to the U.S. Court of Appeals for the Eleventh Circuit, where my compassionate release request is pending.
 6. The facts set forth below are based upon my personal experience and knowledge. I will supplement this declaration if additional information becomes available during the pendency of the case.
 7. In the last few weeks, a number of inmates at FMC Carswell have tested positive for COVID-19. I understand that, as of today's date, the BOP has publicly reported that approximately 500 inmates have tested positive for COVID-19 up from a public reporting of 0 inmates in late June 2020.
 8. Over the course of the last few days, I have been tested for COVID-19 and have been advised that I tested positive.
 9. It is my belief that my compassionate release request, including briefing to both the district court and the Eleventh Circuit Court of Appeals, is well known by prison officials at FMC Carswell and has led to retaliatory acts against me. Indeed, an officer has prevented me from completing my paid prison detail on certain occasions. Additionally, after my positive COVID-19 test, this same prison official sarcastically "congratulated" me.
 10. The situation in FMC Carswell is dire. I am now a positive case in a unit with 240 people. We have not had any hot meals in 3 weeks. We are not allowed access to the prison store to purchase basic hygiene supplies to attempt to battle the virus on our own. The mattresses of sick, removed prisoners are still stacked in the center of our unit.
 11. For the reasons set forth in my compassionate release request, the situation at FMC Carswell is dangerous; COVID-19 infections are exploding amongst the inmates and I, in particular, am susceptible to severe health consequences.
 12. I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information and belief.
- Dated: July 21, 2020

Reality Leigh Winner
BOP Register No. 22056-021